



JUN 13 2024

Hon. Lauren King

AT SEATTLE
CLERK U.S. DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

BY DEPUTY

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

KURT A. BENSHOOF, *et al.*,

Plaintiffs,

v.

MARSHALL FERGUSON, *et al.*,

Defendants.

No. 2:24-cv-00808-LK

PLAINTIFF'S MOTION FOR
DISQUALIFICATION OF
JUDGE LAUREN KING

NOTE ON MOTION CALENDAR:
June 17, 2024

I. INTRODUCTION

Plaintiff Kurt Benshoof ("Benshoof") moves for the disqualification of Judge Lauren King from the instant case, pursuant to 28 U.S. Code § 455.

Pursuant to LCR 7(d)(1) this Motion is noted for June 17, 2024.

II. VERIFIED STATEMENTS OF FACT

1. On June 7, 2024, Benshoof filed suit in WAWD No. 2:24-cv-00808-LK.
2. Jamal N. Whitehead ("Whitehead") is a named defendant in WAWD No. 2:24-cv-00808-LK.

PLAINTIFF'S MOTION FOR DISQUALIFICATION
OF JUDGE LAUREN KING
WAWD No. 2:24-cv-00808-LK
Page 1 of 7

Kurt Benshoof, Co-Plaintiff
1716 N 128th ST
Seattle, Washington 98133
(206) 460-4202
kurtbenshoof@gmail.com

1 3. Whitehead has conspired with individuals working in the U.S. District
2 Court Office of the Clerk to deny Benshoof the issuance of summons to defendants
3 KING COUNTY and Magalie Lerman in WAWD No. 2:23-cv-1829-JNW.

4 4. Benshoof petitioned for writ of mandamus (9th Cir. No. 24-1958) to
5 compel Whitehead to adjudicate Benshoof's Fifth TRO (WAWD No. 2:23-cv-1392-
6 JNW, Dkt. #129), which sought to enjoin Defendant Magalie Lerman from
7 fraudulently attempting to extort or imprison Benshoof under color of law of the void
8 *ab initio* "Order Restricting Abusive Litigation" that was issued by Judge Marshall
9 Ferguson.

10 5. Marshall Ferguson is a defendant in WAWD No. 2:24-cv-00808-LK and
11 works as a King County Superior Court Judge.

12 6. Benshoof petitioned for writ of mandamus (9th Cir. No. 24-3053) to
13 compel Whitehead to adjudicate Benshoof's Sixth TRO (WAWD No. 2:23-cv-1392-
14 JNW, Dkt. #158), which sought to enjoin KING COUNTY and Defendant David S.
15 Keenan ("Keenan") from setting in motion a series of events by which Benshoof would
16 be unlawfully imprisoned under the void *ab initio* Final Restraining Order granted
17 by Keenan in King County Superior Court case no. 21-5-00680-6 SEA.

1 7. On June 7, 2024, Eric A. Benshoof, presented properly completed
2
3 summons to the U.S. District Court clerk for individual Defendants Ferguson, Russ,
4 Skelton, Tracy, Turner, and Whitehead. (See Appendix 1a-6a)

5 8. The clerk withheld the summons and refused to issue the summons,
6
7 stating that she was “busy.”

8 9. On the morning of June 10, 2024, Eric A. Benshoof presented six more
9
10 properly completed summons to the U.S. District Court clerk for individual
11 Defendants Ferguson, Russ, Skelton, Tracy, Turner, and Whitehead.

12 10. The clerk refused to issue the summons to Eric A. Benshoof and stated
13
14 that the summons would be held in chambers until further notice.

15 11. On the morning of June 10, 2024, Benshoof telephoned the U.S. District
16
17 Court clerk’s office, and spoke with Marsha. Marsha confirmed to Benshoof that the
18 judge was preventing the issuance of summons to individual Defendants Ferguson,
19 Russ, Skelton, Tracy, Turner, and Whitehead.

21 III. ARGUMENT FOR DISQUALIFICATION

22 A. Impartiality Questioned

23 12. Judge Lauren King is acting *ultra vires* to deny Benshoof the issuance
24
25 of summons to individual Defendants Ferguson, Russ, Skelton, Tracy, Turner, and

1 Whitehead. This ministerial command that clerks violate Fed.R.Civ.P. 4(b) is one of
2 the causes of action which Benshoof is suing Whitehead for.
3

4 13. As Judge Lauren King is now perpetrating the same conspiracy to deny
5 Benshoof the issuance of summons, in violation of Fed.R.Civ.P. 4(b) and the First
6 Amendment, Judge Lauren King's impartiality might reasonably be questioned.
7

8 14. Therefore, Judge Lauren King's impartiality might reasonably be
9 questioned, and 28 U.S.C. §455(a) states that a judge "*shall* disqualify himself in any
10 proceeding in which his impartiality might reasonably be questioned."
11

12 **B. Conflict of Interest**

13 15. Pursuant to 28 U.S.C. § 455(b)(5)(iii), a judge "*shall* also disqualify
14 himself" if he "is known by the judge to have an interest that could be substantially
15 affected by the outcome of the proceeding."
16

17 16. As Judge Lauren King is now perpetrating the same conspiracy to deny
18 Benshoof the issuance of summons to individual Defendants Ferguson, Russ, Skelton,
19 Tracy, Turner, and Whitehead, in violation of Fed.R.Civ.P. 4(b). the First
20 Amendment, and the Fifth Amendment, Judge Lauren King is "known to have an
21 interest that could be substantially affected by the outcome of the proceedings."
22
23
24
25

1 This motion has less than 2,100 words in compliance with LCR 7(d)(1).
2

3
4 By: 

5 Kurt Benshoof *Pro Se*
6 1716 N 128th Street
7 Seattle, WA 98133
8 Phone: (206) 460-4202
9 Email: kurtbenshoof@gmail.com
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

CERIFICATION OF SERVICE

Plaintiff Kurt Benshoof hereby certifies that on June 11, 2024, he did mail by USPS first class mail the foregoing document to the Clerk of Court, and he did send a notice by email to the email address listed below.

Defendant Sarah Turner
701 Fifth Avenue, Suite 600
Seattle, WA 98104
Phone: (206) 477-1120
Email: sturner@grsm.com

Defendant Blair Russ
1000 Second Ave, Suite 3660
Seattle, WA 98104
Phone: (206) 621-1871
Email: bmr@tbr-law.com

Defendant Marshall Ferguson
Email: marshall.ferguson@kingcounty.gov

Defendant Jamal Whitehead
Email: jamal.whitehead@gmail.com
Email: jwhitehead@gsblaw.com

Defendant Michael Tracy
Email: mtracy@grsm.com

Defendant Jessica Skelton
Email: jessica.skelton@pacificallawgroup.com

DATED: June 11, 2024

Signed: 

Kurt Benshoof, *Pro Se*
1716 N 128th Street
Seattle, WA 98133
Phone: (206) 460-4202
Email: kurtbenshoof@gmail.com

1716 N 128th ST
SEATTLE WA 98133



JUN 13 2024

AT SEATTLE
CLERK U.S. DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
BY DEPUTY

U.S. DISTRICT COURT
MR. RAVI SUBRAMANIAN
700 STEWART ST
SUITE 2310
SEATTLE, WA 98101

Retail



98101



U.S. POSTAGE PAID
FCM LG ENV
SEATTLE, WA 98133
JUN 11, 2024

\$1.87

RDC 99

R2304M11701-06